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**ABSTRACT**

This report explores current state laws regarding dispositional options for adjudicated delinquents; examines decision-making responsibility for placement, sentence length and discharge within state juvenile justice systems; and highlights some of the more innovative state approaches in juvenile justice dispositions and sentencing practices. Data for the report were gathered from a 50-state survey about statutory provisions and administrative practices regarding juvenile justice. Disposition options described include supervised release in the community; out-of-home placement in either a secure or non-secure setting; financial penalty; or service work. A section on deciding dispositions and placements explains that specific statutory prohibitions control the circumstances under which certain dispositions may be used, and that procedural checks have been instituted to disperse the decision-making power of the court. In the area of disposition or sentencing guidelines, the report states that guidelines are becoming more common in juvenile courts with about one-half of the states providing some general criteria for court and corrections personnel to utlize in determining sentences. The report concludes that states generally provide juvenile justice decision-makers with a wide range of dispositional options from which to fashion the most appropriate treatment plan for delinquent youth, but acknowledges that states have moved toward commitment procedures that limit the discretion of the juvenile courts or shift placements, sentence, and discharge decisions to others. (ABL)

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# LEGAL DISPOSITIONS AND CONFINEMENT POLICIES FOR DELINQUENT YOUTH

by

the Criminal Justice Program

Vol 15, No. 23 July 1988

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## LEGAL DISPOSITIONS AND CONFINEMENT POLICIES

## FOR DELINQUENT YOUTH

According to a recent survey by the National Conference of State Legislatures, the central juvenile justice question facing state legislators is: How can states develop and operate the most effective continuum of programs, institutions and services for youth in trouble? (1, p. 1) The question is not easily answered, particularly given very different and competing points of view on juvenile justice. For example, state policymakers are being asked:

- Where should states strike the philosophical balance between treatment and rehabilitation on the one hand and punishment and public protection requirements on the other?

- When fashioning dispositions for adjudicated delinquents, how much discretion should be allowed to juvenile justice officials, and how much predictability and accountability should be demanded of them?

- To what degree should the informal processes of the juvenile court, as it functions today, be abandoned in favor of more formal procedures?

- To what extent should the juvenile justice system model trends in adult corrections, such as determinate sentencing and sentencing guidelines?

To better understand these issues, this *State Legislative Report* explores current state laws regarding dispositional options for adjudicated delinquents, examines decision-making responsibility for placement, sentence length and discharge within state juvenile justice systems, and highlights some of the more innovative state approaches in juvenile justice dispositions and sentencing practices. Data for this report were gathered from a 50-state survey of legislative staff who responded to questions about statutory provisions and, in some cases, administrative practices regarding juvenile justice. (For statutory citations on juvenile justice laws, see Appendix A.)

(Throughout this paper, the terms "child," "youth," "minor" and "juvenile" are used interchangeably. The term "delinquent" is used generically to cover the various legal definitions contained in juvenile codes in the 50 states. For a delineation of those acts defined delinquent under state law, readers are referred to the NCSL LEGISNET profile. (2))

### DISPOSITIONAL OPTIONS

State statutes grant juvenile court judges a broad range of options to which an adjudicated delinquent may be sentenced. (See Chart 1.) The statutes establish a continuum of dispositions to fit different situations and to mete out punishment based on notions of appropriateness, prior delinquent behavior, the seriousness of the offense and proportionality. The range of available dispositions typically includes:

- supervised release in the community--probation, release to parental or another adult's custody or some form of conditional discharge;

- out-of-home placement--either direct placement by the court or through assignment of custody to a child-serving agency or youth corrections agency for subsequent placement in either a secure or non-secure setting;

- financial penalty--fines or restitution; or

- o service work--either community service responsibilities or specific service for the victim.

With rare exceptions, all states grant their judges one or more dispositional options in the first three categories. Less common are community or victim service orders, though Oregon, with the passage of legislation in 1987, became the 35th state to allow juvenile court judges such an option. While perhaps not as broadly or explicitly stated, most states mirror Pennsylvania's statute that allows a judge to chose any "disposition best suited to his (a child's) treatment, supervision, rehabilitation and welfare." (Pa. Cons. Stat. Ann. Judicial Code ss. 6351, 6352 [1986])

In addition to the dispositions cited above, a few states grant juvenile courts the power to:

- o order parental involvement in treatment (Maryland, Minnesota and New Jersey);
- o emancipate a youth or release a child from compulsory education requirements (Illinois, Indiana and Nevada);
- o order intermittent or weekend confinement in detention facilities (Kentucky and North Carolina);
- o dispose of cases involving less serious offenses through some informal adjustment procedures (Missouri and Montana) or accelerated pretrial rehabilitation program (Connecticut) rather than the full adjudicatory process;
- o suspend or deny a youth a driver's license (Delaware, Indiana, Minnesota, Ohio and Texas);
- o order special vocational training (New Jersey); or
- o hold a youth for temporary observation and assessment prior to placement or community release (Utah).

## DECIDING DISPOSITIONS AND PLACEMENT

Historically, the juvenile court has been given broad discretionary powers intended to spare youths the harsh formalities of adult criminal proceedings and to provide judges with the flexibility to deal with each youth's particular needs. Over time, however, concerns have been raised about the potential for inequitable, capricious or disproportionate sentences and the need for due process protections.

Thus, while the dispositions available to most juvenile courts remain quite broad, some limits have been placed on that decision-making authority. **First**, specific statutory prohibitions control the circumstances under which certain dispositions may be used. **Second**, procedural checks have been instituted to disperse the decision-making power of the court.

Specific Prohibitions. Such prohibitions typically focus on age and the possibility of placement in secure correctional facilities. In some states, youths must be of a minimum age to be placed in a secure juvenile institution. For example, in Ohio the minimum age for commitment to a secure juvenile facility is 12, while in North Carolina such placements are prohibited for children under the age of 10.

Several states limit their secure juvenile facilities to more serious juvenile offenders. For example, juveniles convicted of offenses involving marijuana or intoxicating beverages may not be committed to the Maine Youth Center. (ME Rev. Stat. Ann. ch. 501 ss. 3103 (2) [1980 Supp.

1986]) In Texas, only youth adjudicated as "delinquent" may be committed to the Texas Youth Commission. (TX Fam. Code Ann. ss. 54 [Vernon 1986 Supp 1987]) In Washington, community supervision is reserved for first-time offenders or "minor" offenders, and confinement is designated for repeat and more serious offenders. (WA Rev. Code Ann. ss. 13.030 - .190 [1962 Supp. 1987])

Finally, 21 states have enacted some kind of prohibition or regulation on the placement of juveniles after adjudication in adult correctional facilities. These states either prohibit any placement or detail circumstances when confinement in an adult facility may be permitted. The balance of the state statutes are silent on the matter, presumably leaving open the possibility of placement in an adult facility. (3, p. 127)

**States Prohibiting or Limiting Juvenile Commitment to Adult Penal Facilities**

| | | |
|---|---|---|
| Alabama | Massachusetts | Oregon |
| Arkansas | Montana | Pennsylvania |
| California | Nebraska | South Carolina |
| Colorado | New Hampshire | Utah |
| Connecticut | New Jersey | Vermont |
| Kentucky | New Mexico | Virginia |
| Maryland | Ohio | West Virginia |

Procedural Limitations. Many states have developed checks and balances in the juvenile justice system to guide when, how long and to what kind of facility a young offender may be committed. The most common of such safeguards are:

- o removal from the court of the exclusive power over the decision to confine or discharge a youth and involve the state youth corrections agency or others in that process;
- o use of sentencing guidelines to guide placement decisions and thus minimize opportunities for arbitrary or inequitable treatment; and
- o establishment of determinate sentencing policies that in effect remove judicial discretion and standardize the length of confinement of a delinquent youth.

Further legislative attention to juvenile sentencing procedures is likely in the future. For example, the Colorado, Idaho, Maryland, New Jersey, Oregon and South Carolina legislatures are expected to debate juvenile commitment procedures, placement criteria or sentencing guidelines as one of the priority juvenile justice issues of the next three years. (1, p. 4)

The division of decision-making between courts and youth corrections agencies is most common when a sentence involves confinement of a youth in a secure institution. According to the NCSL survey, 19 states grant the court the power to commit a delinquent youth directly to an institution or special program.

**Court Determines Placement in Specific Programs or Institutions**

| | | |
|---|---|---|
| Connecticut | Nevada | South Dakota |
| Florida | New Jersey | Tennessee |
| Georgia | New York | Washington |
| Hawaii | Pennsylvania | West Virginia |
| Indiana | Rhode Island | Wisconsin |
| Iowa | South Carolina | Wyoming |
| Nebraska | | |

In the case of Florida, Nebraska and South Carolina, the courts are required to consider the recommendation of an advisory group or the youth corrections personnel. For example in Florida, a committee of corrections and, if possible, school or community representatives reviews specific factors relating to a delinquent youth's criminal involvement and behavior and then ranks three placement options for the court to consider.

In eight states, the court simply commits adjudicated youth to the youth corrections agency which then determines the appropriate placement.

**Youth Corrections Agency Determines Placement in Specific Programs or Institutions**

| | | |
|---|---|---|
| Arkansas | Kansas | Texas |
| Alaska | Montana | Vermont |
| Illinois | New Mexico | |

In the balance of the states, both the court and youth corrections personnel are involved in the placement decision. Sometimes the court has the option of designating a specific institution or committing a youth to the juvenile corrections agency for its determination of the specific placement. At other times, the court may delegate the decision to an agency with only the requirement of notice to or review by the court. Alternatively, the statute may give the court authority over some placements, usually non-secure group homes or community residential treatment programs, while a state agency is responsible for secure settings.

Similarly, the decision to discharge a youth is shared in most of the states between the court, corrections personnel or a juvenile parole board. While nine states give the juvenile court the authority to discharge a youth, the level of authority varies from state to state. For example, in Connecticut, only the court can terminate a commitment order. In Wyoming, the State Board of Charities may release children from secure confinement, but only the court may discharge a youth from state jurisdiction. In Pennsylvania, if the department wants to transfer a youth to a less secure facility, the department must provide written notice to the court which has 10 days to object to the transfer.

**Juvenile Court Decides Discharge**

| | | |
|---|---|---|
| Connecticut | Iowa | Rhode Island |
| Georgia | Maryland | South Dakota |
| Indiana | Pennsylvania | Wyoming |

In the rest of the states, the decision to release a delinquent youth may be governed by sentencing limitations, may be divided between the court and a youth agency depending on the type of placement, or may be granted to the state youth corrections agency or a separate paroling authority. In Minnesota, release authority is granted to the Commissioner of Corrections. The Office of Juvenile Release, a division within the department, uses a set of guidelines to determine the release date. The guidelines, based on offense severity and

delinquent history, are used shortly after commitment to determine the appropriate length of stay within the institution for an individual youth. The court is notified when a youth is released from the department. (6) In nine states, a youth parole board is responsible for releasing juveniles from certain facilities, usually the most secure institutions.

**States With Juvenile Parole Boards**

| | | |
|---|---|---|
| California | Nevada | New Mexico |
| Colorado | New Hampshire | South Carolina |
| Michigan | New Jersey | Utah |

Again the division of responsibility in the discharge decision may reflect a preference for institutional checks and balances in juvenile justice.

Dispositional or sentencing guidelines are becoming more common in juvenile courts. About half the states provide some general statutory criteria for court and corrections personnel to utilize in determining sentences. Fairly typical is the Iowa law which states:

> " ... the court shall enter the least restrictive dispositional order appropriate in view of the seriousness of the delinquent act, the child's culpability as indicated by the circumstances of the particular case, the age of the child and the child's prior record." (IA Code Ann. ss. 232.52 [West 1985 Supp. 1987])

Some states are developing more detailed dispositional guidelines through administrative rules or regulations. Similar to parole guidelines, dispositional guidelines help determine the institutional length of stay. One of the more sophisticated systems comes from Utah, where dispositional guidelines have been developed jointly by the Division of Youth Corrections and the Juvenile Court. The guidelines utilize a series of forms and scoring sheets to (1) compare a delinquent youth's offense history with other delinquents and the disposition they received from the court, (2) weigh mitigating or aggravating factors, (3) review a youth's personal, social and emotional needs, and (4) assess any risks associated with a youth's family, school or peer relationships. The point system then is used by a placement committee to screen youth and determine the most appropriate, equitable and proportional disposition. (4, pp. 5-13)

Although more than half the states still allow juvenile courts the power to sentence a youth to an indefinite length of confinement--generally up to the age of majority--the trend is moving toward more determinate sentencing, rather than giving the court open-ended discretionary power.

But that pattern is giving way to other approaches. Fifteen states now allow confinement for an indefinite period not to exceed some maximum time or the maximum sentence allowable for an adult offender convicted of the same crime. Another seven states have moved closer to the sentencing pattern used in adult criminal commitments, namely establishing minimum and maximum sentences for some or all offenses. For example, in Colorado, an adjudicated delinquent may be confined in a secure institution for up to two years, after which confinement may be extended for an additional period of no more than two years. In Delaware, certain repeat or escaped offenders face a minimum six-months confinement period. Commitments to the secure institutions operated by the California Youth Authority are for a two-year period or until the youth reaches the age of 21 (or for some offenses age 25).

North Carolina has developed a sentencing system that includes several features similar to adult sentencing policies including, for example, good behavior incentives that may reduce a commitment period by as much as 25 percent. Also, commitments to the Division of Youth Services cannot exceed that which an adult might face. (NC Gen. Stat. ss.7A-649 and 652 [1986])

Similarly, Washington has taken an unusual approach to determining the duration of sentences for youth offenders. (5, pp. 92-97) Sentencing is based on the principle of proportionality. Sentences must be within a standard durational range established by the Juvenile Dispositions Standard Commission, which meets regularly to review and adjust those ranges as needed. Three factors--a juvenile's age, the current offense and a youth's prior history of criminal behavior--are considered by the court. A judge may go outside of the specified minimum/maximum time period only with a finding of "manifest injustice" supported by clear and convincing evidence. Further, the code limits confinement to "serious" and "middle" offenders, terms which are defined in the statute. (WA Rev. Code Ann. ss. 13.40.150 - .190, .300 [1962 Supp. 1987])

## CONCLUSION

States generally provide juvenile justice decision-makers with a wide range of dispositional options from which to fashion the most appropriate treatment plan for delinquent youth. There is no one dominant model for deciding the type or duration of a disposition, but states clearly have moved toward commitment procedures that limit the discretion of the juvenile courts or shift placement, sentence and discharge decisions to others.

One reason for this may be the increased use of objective guidelines and classification schemes to determine placement and length of stay decisions. Instruments, like those used in Minnesota and Utah, may give confidence to the courts and others that there is an objective process that considers community risk in determining placement. While not discussed here, a number of other states' youth corrections agencies, including Colorado, Massachusetts and Oregon, use classification schemes to determine appropriate levels of supervision and placement. (6) As states proceed to diversify placement options for delinquent youths, it is likely that this trend will continue.

Shaping a continuum of youth corrections options is one of the major policy challenges facing state legislatures today. Policymakers are looking at the role of institutional care, especially secure care, in the youth corrections system. They are exploring different sentencing options and wrestling with the thorny issue of defining the appropriate dispositions for specific offenses. States are also reviewing the degree of discretion juvenile courts should be given regarding sentencing. Finally, in their quest to determine how best to deal with youths in trouble, policymakers are looking for efficient, effective and affordable youth corrections options. The differing approaches states are taking in defining these options, outlined in this report, provide legislatures with alternative models to consider as they shape youth corrections policy in their own states.

## REFERENCES


1. National Conference of State Legislatures. "Current Juvenile JusticeIssues Facing State Legislatures." Denver, Colo., 1988.

2. See NCSL profiles in LEGISNET regarding actions defined as delinquent under state statutes and juvenile court age considerations.

3. King, Jane L. and Thome, Joseph E. A Comparative Analysis of Juvenile Codes. Community Research Associates: Champaign, Ill., 1987.

4. Utah Juvenile Court and Division of Youth Corrections. Dispositional Guideline. State of Utah, 1985.

5. Governor's Anti-Crime Council, Juvenile Code Study and Revision Project. Comparative Analysis of the Juvenile Codes of Ten States. Commonwealth of Massachusetts, 1986.

6. Conversation with Professor Ira Schwartz, University of Michigan.

Chart 1

DISPOSITIONAL OPTIONS FOR DELINQUENT YOUTH

| State | Conditional Discharge | Same as Available for Neglected/ | Release to Parent/ Guardian | Probation | Fine | Restitution | Community Service Work | Service Work for Victim | Direct Commitment to Group Home, Camp | Direct Commitment to Secure Instit. | Commitment to Youth Corrections Agency |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Alabama | • | | • | • | • | • | | | • | • | • |
| Alaska | • | | • | • | | • | • | | | | • |
| Arizona | | | • | • | | • | • | | | | • |
| Arkansas | • | • | • | • | | • | • | • | | • | • |
| California | | | | • | • | • | • | • | • | | • |
| Colorado | • | | • | • | | • | • | • | • | | • |
| Connecticut(a) | • | | • | • | • | | | | • | • | • |
| Delaware (b) | • | • | • | • | • | • | | | • | | • |
| Florida | • | | • | • | | • | • | • | | | • |
| Georgia | | • | | • | | • | | | • | | • |
| Hawaii | | • | • | • | • | • | • | • | • | • | • |
| Idaho | • | | • | • | | • | • | • | | • | • |
| Illinois (c,d) | • | | • | • | | • | • | | | | • |
| Indiana (b,c) | • | | | • | | • | • | | • | • | • |
| Iowa | • | | • | • | | • | • | • | • | • | |
| Kansas | • | | • | • | | • | • | • | • | • | • |
| Kentucky (e) | | | • | • | • | • | • | | • | • | • |
| Louisiana | | | | | | | | | | | |
| Maine | • | | • | • | • | • | • | • | | • | • |
| Maryland (f) | | | • | • | | • | • | | | • | • |
| Massachusetts | | | | • | | • | • | | | | • |
| Michigan | | • | • | • | | | | | | | • |
| Minnesota (b,g) | | | | • | • | • | | | | | |
| Mississippi | | | • | • | | • | • | | • | • | |
| Missouri (h) | • | | • | | | • | • | | • | • | • |
| Montana | | | | • | | • | • | | | | |
| Nebraska | • | | | • | | • | | | (i) | | |
| Nevada (c) | | | | • | | • | • | | • | • | • |
| New Hampshire | • | • | • | • | • | • | • | | • | • | • |
| New Jersey (j) | • | • | • | • | • | • | • | | • | • | • |
| New Mexico | | • | • | • | | • | | | | | • |
| New York | • | | | • | | • | • | • | | | • |
| North Carolina(a) | • | • | • | • | • | • | • | | • | • | • |
| North Dakota | • | • | • | • | • | | | | • | • | • |
| Ohio (b,k) | • | • | • | • | • | • | • | • | • | • | • |
| Oklahoma | • | • | • | • | | • | • | • | | | • |
| Oregon | | | • | • | | • | • | • | | • | • |
| Pennsylvania (k) | • | • | • | • | | • | • | • | • | • | • |
| Rhode Island | | • | • | • | | • | • | | • | • | |
| South Carolina | • | | • | • | | • | • | • | • | • | • |
| South Dakota | | | • | • | • | | | | • | • | • |
| Tennessee | | • | • | • | • | • | • | • | • | • | • |
| Texas (b) | | | • | • | | • | | | • | | • |
| Utah (l) | • | | • | • | • | • | • | • | | • | • |
| Vermont | | • | • | • | | | | | | | • |
| Virginia | • | • | • | • | | • | • | • | • | • | • |
| Washington (m) | | | | | | | | | | | |
| West Virginia | • | • | • | • | | • | • | • | • | • | • |
| Wisconsin | | | • | | | • | • | | • | | • |
| Wyoming | • | • | • | • | | • | • | • | • | • | • |

(a) Certain first-time offenders and misdemeanants may be eligible for an accelerated pretrial release program.

(b) Court may revoke, suspend or postpone driver's license.

(c) Juvenile may be emancipated or released from compulsory education requirements.

(d) Youth may also be placed in detention or admitted for treatment of addiction.

(e) Court may order weekend or intermittent detention.

(f) Court may order parents to participate in rehabilitative services.

(g) Court may order special care for physical or mental health.

(h) Statute provides for an informal adjustment procedure.

(i) Court may order a specific placement subject to the approval of the Department of Family Services.

(j) Court may suspend disposition for one year then dismiss complaint; order vocational training or order parents to participate in programs.

(k) Statue contains broad language authorizing any other disposition the court finds proper.

(l) A youth may be ordered held for observation and assessment prior to determining the specific placement.

(m) The Washington code recognizes only two dispositions: community supervision and confinement. Community supervision is generally reserved for minor or first time offenders.

## Chart 2
## LENGTH OF CONFINEMENT FOR JUVENILE DELINQUENTS
### Most Common State Patterns*

| Indefinite Period of Confinement | Indefinite Period of Confinement Up to a Maximum Period | Minimum/Maximum Sentences Set for Some or All Offenses |
|---|---|---|
| Alabama | Arizona | Delaware (e) |
| Alaska (a) | California (c) | Georgia (a) |
| Arkansas | Colorado (d) | Kentucky (g) |
| Idaho | Connecticut | Louisiana |
| Indiana (a)(b) | Florida (b) | Maine (h) |
| Kansas (a) | Hawaii | Nebraska |
| Massachusetts | Illinois | New Jersey |
| Minnesota (a) | Iowa (b)(f) | Ohio |
| Mississippi | Maryland | Washington (j) |
| Missouri (a) | Michigan | |
| Montana | New Hampshire (b) | |
| Nevada | New York | |
| New Mexico | North Carolina (b)(j) | |
| Oklahoma (a) | North Dakota (a) | |
| Rhode Island (a) | Oregon (b) | |
| South Carolina (a) | Pennsylvania (a)(b) | |
| South Dakota | Utah | |
| Tennessee (a) | West Virginia (b) | |
| Vermont (a) | | |
| Virginia (a) | | |
| Wisconsin (a) | | |
| Wyoming (a) | | |

*This chart describes the general sentencing practice followed by a state in confining a delinquent child in a youth corrections facility. Several states combine sentencing features from all three categories, but an attempt has been made to identify the category which best reflects the state's approach.

(a) Courts are required to review periodically all cases of youth in confinement.

(b) The maximum sentence may not exceed the maximum adult sentence for the same offense.

(c) Commitments to the California Youth Authority are for two years or until a person reaches age 21, or age 25 for certain offenses.

(d) Sentences are for a determinate period not to exceed two years but with the provison that they may be extended an additional two years.

(e) A minimum six-month sentence is mandated for certain repeat offenders or youth who escape from confinement.

(f) Commitments are for an indefinite period with court review until the age of 18. For youth 17 1/2 or older, a commitment cannot exceed the length of an adult criminal term.

(g) A minimum six-month commitment is required with the maximum term not specified. Weekend or evening detention is limited to a maximum number of days.

(h) Commitments to the Department of Human Services do not extend beyond age 18; commitments to the Department of Mental Health and Corrections are for an indeterminate period but not less than one year nor beyond age 21.

(i) Maximum sentences may be reduced by up to 25 percent for good behavior.

(j) The Juvenile Dispositions Standards Commission sets sentence ranges based on a point system. The court may go beyond the ranges only by following certain procedures and making specific findings.

## APPENDIX A
## JUVENILE JUSTICE
## STATUTORY CITATIONS

| | |
|---|---|
| Alabama | Alabama Code Sec. 12-15 (1977 Supp. 1986) |
| Alaska | Alaska Statute Sec. 47.10 (1984 Supp. 1986) |
| Arizona | Arizona Revised Statute Ann. Sec. 8-201 to 8-246 (1974 Supp. 1986) ARS 41-1600, ARS 31-100 (1986) |
| Arkansas | Arkansas Statute Ann. Sec. 45-403 to 511 (1977 Supp. 1986) |
| California | California Welfare & Institutions Code Sec. 601-603, 207, 727-737 Pending Code Sec. 11055, 1202, 1203 (West 1984 Supp. 1987) |
| Colorado | Colorado Statute Sec. 16, 19, 42 (1984 Supp. 1986) |
| Connecticut | Connecticut Gen. Statute Ann. 466-120 (West 1986 Supp. 1987) |
| Delaware | Delaware Code Ann. Tit 10 Sec. 901 to 937 (1975 Supp. 1986) |
| Florida | Florida Statute Ann. Sec. 39 (West 1974 Supp. 1987) |
| Georgia | Georgia Code Sec. 15-11 (1986) |
| Hawaii | Hawaii Revised Statute Sec. 571 (1976 Supp. 1986) |
| Idaho | Idaho Code Sec. 16 (1979 Supp. 1986) |
| Illinois | Illinois Ann. Statute Ch. 37 Sec. 701 to 705 (1972 Supp. 1986) |
| Indiana | Indiana Code Ann. Sec. 31-6 (West 1979 Supp. 1986) |
| Iowa | Iowa Code Ann. Sec. 232 (West 1985 Supp. 1987) |
| Kansas | Kansas Statute Ann. Sec. 38-1500 thru 1663 (1986); Chap. 154 Session Laws (1987) |
| Kentucky | Kentucky Revised Statute Sec. 600 thru 630 (1985 Supp. 1986) |
| Louisiana | Louisiana Code Juv. Proc. articles 13, 34, 41, 107 (West 1987) |
| Maine | Maine Revised Statute Ann. Sec. 3000 thru 3501 (1980 Supp. 1986) |
| Maryland | Maryland Cts & Jud. Proc. Code Ann. Sec. 3-800 thru 823 (1984) Supp. 1986) |
| Massachusetts | Massachusetts Ann. Laws Ch. 119 (Law Co-op 1975 Supp 1987) |
| Michigan | Michigan Comp. Laws 712A |
| Minnesota | Minnesota Statute Sec. 260 (1987) |
| Mississippi | Mississippi Code Ann. Sec. 43-21 (1981 Supp. 1987) |
| Missouri | Missouri Revised Statute Sec. 211 (1986) |
| Montana | Montana Code Ann. Sec. 41-5-100 thru 500 (1986); Chap. 475, 515 & 609 Session Laws of 1987 |
| Nebraska | Nebraska Revised Statute Sec. 43-245 thru 286 (1984 Supp. 1986) |
| Nevada | Nevada Revised Statute Sec. 62 and 432B (1986) |
| New Hampshire | New Hampshire Revised Statute Ann. Sec. 169 - B, C, D (1978 Supp. 1986) |
| New Jersey | New Jersey Statute Ann. Sec. 2A:4A (West 1952 Supp. 1986) |
| New Mexico | New Mexico Statute Ann. Sec. 32-1-1 thru 34 (1986) |
| New York | New York Fam. Ct. Act Sec. 301 to 308, 352, 712, 714, 720, 724, 1012, 1013, (Consol. 1983 Supp. 1987) |
| North Carolina | North Carolina Gen. Statute Sec. 7A-517 thru 576 and 647 thru 699 (1986) |
| North Dakota | North Dakota Cent. Code Sec. 27-20 and Sec. 12-44.1 (1985) |
| Ohio | Ohio Revised Code Ann. Sec. 2151 (Page 1976 Supp. 1986) |
| Oklahoma | Oklahoma Statute Tit 10 Sec. 1101 thru 1135 (1981 Supp. 1986) |
| Oregon | Oregon Revised Statute Sec. 419-472 thru 419-575 (1985) |
| Pennsylvania | Pennsylvania Cons. Statute Ann. Judicial Code Sec. 6302 thru 6352 (1986) |
| Rhode Island | Rhode Island Gen. Laws Sec. 14-1-1 thru 32 (1981 Supp. 1986) |
| South Carolina | South Carolina Code Ann. Sec. 20-7 (Law Co-op 1985 Supp. 1986) |

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| South Dakota | South Dakota Codified Laws Ann. Sec. 76-7, 8, 11 (1984 Supp. 1986) |
| Tennessee | Tennessee Code Ann. Sec. 37-1-101 thru 146 (1984 Supp. 1986) |
| Texas | Texas Fam Code Ann. Sec. 17, 51, 52, 53, 54 (Vernon 1986 Supp. 1987) |
| Utah | Utah Code Ann. Sec. 78-3a-1 thru 40 (1977 Supp. 1986) |
| Vermont | Vermont Statute Ann Tit 33 Sec. 632 thru 657 (1981 Supp. 1986) |
| Virginia | Virginia Code Sec. 16.1 (1982 Supp. 1984) |
| Washington | Washington Revised Code Ann. Sec. 13.04.011 thru 13.04.190; Sec. 13.32A.030. Sec. 13.40.020 (1962 Supp 1987) |
| West Virginia | West Virginia Code Sec. 49-1-1 thru 49-5-16 (1986) |
| Wisconsin | Wisconsin Statute Ann. Sec. 48.02 thru 48.366 (West 1979 Supp 1986) |
| Wyoming | Wyoming Statute Sec. 14-6-201 thru 231; Sec. 8-1-102 (1986) |

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